

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2017-0005**

APPROVING THE ALLOCATION OF UP TO \$121,000 IN ADDITIONAL FUNDS FROM THE
CLEANUP AND ABATEMENT ACCOUNT (CAA) TO LAKE OF THE WOODS MUTUAL
WATER COMPANY (LWMWC) FOR HAULED WATER (PROJECT)

WHEREAS:

1. LWMWC serves a disadvantaged community and operates a community water system in south Kern County that has low water production as a result of the drought, nitrate contamination in the groundwater, and leaks in its water distribution system;
2. In an effort to meet the demands of its water system customers, LWMWC has instituted mandatory outdoor water restrictions, initiated water hauling, begun fixing leaks in the distribution system, and rehabilitated some of its existing wells;
3. Previously, LWMWC has received a total of \$750,000 in funding from various funding programs administered by the California Department of Public Health (CDPH) and the State Water Resources Control Board (State Water Board) to address the water supply and contamination issues;
4. On July 1, 2014, the administration of the CDPH Drinking Water Program was transferred from the CDPH to the State Water Board;
5. The water quality in the new production well, funded by the State Water Board, exceeded the nitrate maximum contaminant level (MCL). To address the nitrate contamination, which is attributed to area septic systems and the drought conditions, a water blending facility was approved for funding;
6. When the blending facility was completed, nitrate levels from one of the wells used to dilute the nitrate concentration had risen to near the MCL. The new blending system could not be operated since the desired blended effluent quality could not be achieved;
7. The State Water Board's Division of Drinking Water (DDW) is allowing LWMWC to temporarily bypass the blending facility;
8. The DDW issued a compliance order that requires the water system to provide public notice of its inability to meet the nitrate MCL and to develop and comply with a corrective action plan in order meet the nitrate MCL by January 1, 2020;
9. The Budget Act of 2016, Senate Bill (SB) 826 (Stats. 2016, Ch. 23), appropriated \$15 million from the CAA for addressing drought-related drinking water emergencies or threatened emergencies;
10. On July 19, 2016, the State Water Board adopted [Resolution No. 2016-0039](#), which approved and delegated authority for administering the SB 826 drought-related drinking water emergency funding;

11. On August 16, 2016, in [Resolution No. 2016-0043](#), the State Water Board adopted new Emergency Drinking Water Funding Guidelines (Funding Guidelines) for administration of the funds it had approved in Resolution No. 2016-0039;
12. The Funding Guidelines include a general \$500,000 limit on emergency funding per project but provide that the State Water Board may make project-specific exceptions;
13. Funding previously provided by the CDPH and the State Water Board exceeds the \$500,000 limit on emergency funding per project, and additional funding requested by LWMWC would further exceed the limit;
14. In [Resolution No. 2016-0010](#), the State Water Board adopted the human right to clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes (human right to water) as a core value and top priority, and directed its implementation in State Water Board programs; and
15. As directed by the State Water Board in [Resolution No. 2016-0010](#), staff has determined that the Project supports the human right to water by providing the LWMWC customers with an interim solution to address their water supply shortage.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the allocation of up to an additional \$121,000 from the SB 826 drought-related drinking water emergency funding for the Project; and
2. Authorizes the Deputy Director of the Division to execute and amend funding agreements for the Project.

CERTIFICATION


The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on February 22, 2017.

AYE: Chair Felicia Marcus
Vice Chair Frances Spivy-Weber
Board Member Tam M. Doduc
Board Member Dorene D'Adamo

NAY: None

ABSENT: Board Member Steven Moore

ABSTAIN: None



Jeanine Townsend
Clerk to the Board